

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

BARBARA FORLASTRO : CIVIL ACTION NO.
AND ROBERT G. FORLASTRO,
AS CO-ADMINISTRATORS OF
THE ESTATE OF ROBERT J. FORLASTRO

VS. :

JAMES COLLINS : OCTOBER 2, 2006

COMPLAINT

JURISDICTIONAL STATEMENT

The Plaintiffs Barbara and Robert G. Forlastro are residents of the State of Connecticut. The Defendant is a resident of New York. Jurisdiction is based on diversity of citizenship, pursuant to 28 U.S.C. § 1332(a) (1) and the amount in controversy exceeds \$75,000. Venue is appropriate in this district pursuant to 28 U.S.C. § 1391.

CAUSE OF ACTION: NEGLIGENCE

1. At all times mentioned herein, the defendant James M. Collins was the operator of a utility truck with authority to operate said truck given to him by his employer New York State Electric and Gas Corporation.

2. On the morning of December 6, 2004, the plaintiffs' decedent Robert J. Forlastro was a pedestrian in a parking area off Route 52 in Carmel, New York.

3. At the same date and time, the defendant operator traveled northerly through this same parking area.

4. Then and there, the defendant's truck struck the plaintiff's decedent causing serious injury and death.

5. The collision and resultant injuries were the direct and proximate result of the negligence of defendant who failed to properly control his vehicle and/or failed to keep a proper lookout and/or failed to yield to a pedestrian.

6. As a direct result of the collision and negligent activity described above, the plaintiffs' decedent suffered serious and painful injuries, and death.

7. As a consequence of this event, the plaintiffs' decedent was caused to suffer a complete and total destruction of his earning capacity and ability to carry on and enjoy all of life's activities, as well as antemortem pain and suffering.

8. On January 10, 2005, Barbara and Robert G. Forlastro were appointed by the Danbury Probate Court as co-administrators of the estate of their deceased son, the decedent Robert J. Forlastro.

WHEREFORE, the plaintiffs claim money damages and all other appropriate relief.

THE PLAINTIFFS,

By



Michael A. Stratton
Stratton Faxon
59 Elm Street
New Haven, CT 06510
mstratton@strattonfaxon.com
Federal Bar No.: ct08166
t: (203) 624-9500
f: (203)624-9100

DEMAND FOR TRIAL BY JURY

The plaintiffs demand a trial by jury on all claims.

THE PLAINTIFFS,

By 


Michael A. Stratton
Stratton Faxon
59 Elm Street
New Haven, CT 06510
mstratton@strattonfaxon.com
Federal Bar No.: ct08166
t: (203) 624-9500
f: (203)624-9100

FROM: COURT OF PROBATE, DISTRICT OF Danbury ESTATE OF/IN THE MATTER OF Robert J. Forlastro (05-0004)		DISTRICT NO. 034 DATE OF CERTIFICATE January 10, 2005 Valid for one year from this date C.G.S. §45a-200
FIDUCIARY'S NAME AND ADDRESS Robert G. Forlastro 18 Kingswood Road Danbury, CT 06811 Barbara Forlastro 18 Kingswood Road Danbury, CT 06811	FIDUCIARY'S POSITION OF TRUST Co-Administrator Co-Administrator	DATE OF APPOINTMENT January 10, 2005 January 10, 2005

The undersigned hereby certifies that the fiduciary of the above-named estate has accepted appointment, has executed bond according to law or has been excused from executing bond by will or by statute, and is legally authorized and qualified to act as such fiduciary on said estate because said appointment is unrevoked and in full force as of the above date of certificate

Limitation, if any, on the above certificate

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of this court on the above date of certificate ~


Patricia E. Saviano,
Ass't Clerk

Court
Seal

NOT VALID WITHOUT COURT OF PROBATE SEAL IMPRESSED